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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/527,661

03/11/2005

Takeshi Ito

MTS-3492US

5213

23122 7590 07/28/2008  
RATNERPRESTIA  
P O BOX 980  
VALLEY FORGE, PA 19482-0980

EXAMINER

BRINICH, STEPHEN M

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

07/28/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/527,661	<b>Applicant(s)</b> ITO ET AL.	
	<b>Examiner</b> STEPHEN M. BRINICH	<b>Art Unit</b> 2625	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-11, 16-23 and 25-34 is/are rejected.
- 7) ☒ Claim(s) 12-15 and 24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10527661	3/11/05	ITO ET AL.	MTS-3492US

RATNERPRESTIA  
P O BOX 980  
VALLEY FORGE, PA 19482-0980

**EXAMINER**

STEPHEN M. BRINICH

ART UNIT	PAPER
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2625	20080722
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DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

/Stephen M Brinich/  
Primary Examiner, Art Unit 2625

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 9, 11, 16-23, 27, & 29-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 9, lines 7-8, and claim 25, lines 7-8, the phrase "using information, other than pixel information, included in said pixel signal" is unclear as to how information that is "included in said pixel signal" can be other than "pixel information".

In claim 9, line 8, the referent of "and said target color" is unclear as to whether it is information used in the recited color conversion (i.e. "using said pixel signal... and said target color) or whether it is excluded from the recited information (i.e. "information, other than pixel information... and said target color").

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 9-10 & 25-29, insofar as claims 9, 25, 27, & 29 are understood, are rejected under 35 U.S.C. 102(b) as being anticipated by JA 06-078320.

Re claims 9-10 & 25-28, insofar as claims 9, 25, & 27 are understood, JA 06-078320 discloses (Abstract) an image processing apparatus for correcting the color of pixel signals. The apparatus includes means for setting a pixel signal target color (the recited reference value) and means for converting the pixel signal using the reference target color (U0\*, V0\*), two chrominance components (U\*, V\*) and a luminance component (L\*) of the pixel signal to be corrected, coincident with the closeness of the pixel signal to the target color.

Re claim 29, insofar as it is understood, the circuitry of JA 06-078320 and its logic are readable upon the (not further described) computer and program.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 30-34, insofar as they are understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over JA 06-078320.

Re claims 30-34, insofar as they are understood, the art of record does not disclose the input of the image signals processed as described printing, displaying via television, projecting, photographing, and display via wireless transmission.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to output the image produced by the JA 06-078320 processing via any of these well-known image output arrangements.

The suggestion/motivation for doing so would have been to obtain the natural color adjustment taught by JA 06-078320 in a printed, televised, projected, photographed, or wirelessly transmitted image.

Therefore, it would have been obvious to apply the JA 06-078320 color adjustment in those image receiving and output systems to obtain the invention as specified in claims 30-34.

***Allowable Subject Matter***

7. Claims 12-15 & 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 11 & 16-23 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

Re claims 11-12 (and dependent claims 13-23), insofar as claims 11 & 16-23 are understood, the art of record does not teach or suggest the recited generation of a correction intensity that is small on the periphery of the color region of a specific range on the basis of the luminance component and two chrominance components and large in the vicinity of the center of said region in conjunction with the recited arrangement for converting a pixel signal.

Re claim 24, the art of record does not teach or suggest the recited arrangement of three-dimensional lookup table interpolation and color correspondence in conjunction with the recited arrangement for converting a pixel signal.

***Conclusion***

10. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application, entry of papers into this application, or other any inquiries of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300.



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Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

/Stephen M Brinich/

Primary Examiner, Art Unit 2625